



02-10-06

JW/JAC

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PTO/SB/21 (09-04)

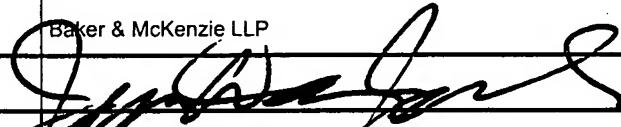
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

		Application Number	10/678,556
		Filing Date	October 3, 2003
		First Named Inventor	Binith Ratilal Shah
		Art Unit	3728
		Examiner Name	Jila M. Mohandes
Total Number of Pages in This Submission		Attorney Docket Number	56169539-6

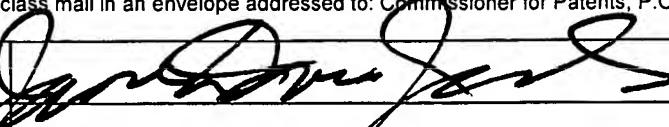
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Remarks This correspondence is being sent via Express Mail to the U.S. Patent & Trademark Office on February 9, 2006.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Baker & McKenzie LLP		
Signature			
Printed name	James David Jacobs		
Date	February 9, 2006	Reg. No.	24,299

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature 

Typed or printed name

James David Jacobs

Date February 9, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



56169539-6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Binith Ratilal Shah
Application No.: 10/678,556
U.S. Filing Date: October 3, 2003
Title: SYSTEM AND METHOD FOR CREATING A CUSTOM ARTICLE
Group Art Unit: 3728
Examiner: Jila M. Mohandesu

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO COMMISSIONER UNDER 35 U.S.C. § 1.183

Sir:

The undersigned attorneys hereby petition that the undersigned attorneys' petition to withdraw as attorney, which was not approved, be granted under CFR § 1.183, or in the alternative that the outstanding office action be withdrawn and reissued, and then the undersigned attorney's Request for Withdrawal be granted.

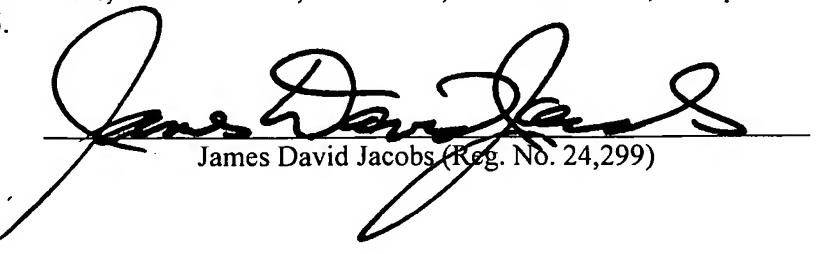
The facts of the case are as follows:

02/13/2006 HVUONG1 00000004 020393 10678556

01 FC:1462 400.00 DA

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being sent via Express Mail (Label # EQ 497905816 US) to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Group Art Unit 3728 on February 9, 2006.


James David Jacobs (Reg. No. 24,299)

NYCDMS/985107.1

1. On April 27, 2005, the representatives of SODO Design Limited, Alderson Dodds, sent the undersigned a copy of the assignment of rights to the above patent application from Rickard Shah to SODO Design Limited and instructed the undersigned attorneys to forward all papers relating to the above noted patent application to their agent. (Exhibit A)

2. On June 6, 2005, the applicant advised us that all applicant's patents have been assigned to SODO Design Limited, and that all patent paperwork related to any applicant's patents be forwarded to SODO Design Limited. (Exhibit B)

3. On August 9, 2005 an office action was issued and mailed from the USPTO and received by the undersigned attorney on August 12, 2005. (Exhibit C)

4. On August 24, 2005 a copy of the aforementioned office action was sent to the applicant. (Exhibit D)

5. On August 26, 2005, a Request for Withdrawal as Attorney or Agent and Change of Correspondence Address was submitted to the USPTO. (Exhibit E)

6. On August 26, 2005, a copy of the Request for Withdrawal as Attorney or Agent and Change of Correspondence Address was sent to the applicant. (Exhibit F)

7. On January 13, 2006 the Office of Petitions issued a decision on the request to withdraw as attorney. The decision, almost 5 months after the undersigned attorneys filed in the USPTO the Request for Withdrawal, denied the Request because the decision was rendered less than 30 days before the expiration date of the time to file a response. (Exhibit G)

8. On January 26, 2006, the undersigned attorney's office contacted the Office of Petitions and Irvin Dingle informed us that the Office of Petitions had just received the paperwork which was transferred from the Technology Center.

Although the undersigned attorney timely requested to withdraw as attorneys, because of Patent Office error in unduly delaying consideration of the Request, the Patent Office denied the Request. In order for the application to not go abandoned, the undersigned attorney, on behalf of the applicant, must respond to the office action dated August 9, 2005. However, the undersigned attorney cannot respond, as the applicant is no longer a client of the undersigned attorney and accordingly has not given instructions to the undersigned attorney. The undersigned attorney has no authority to respond to the Office Action and, indeed, legally and ethically cannot do so.

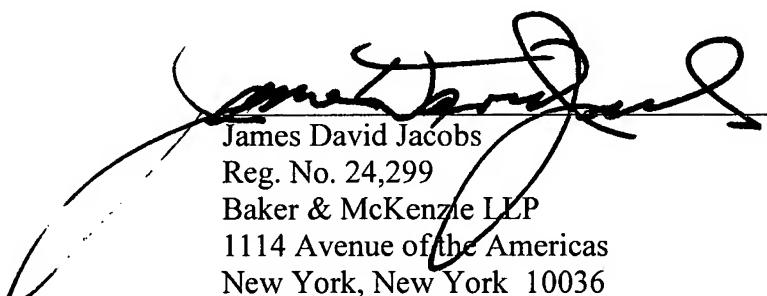
From the above facts, and in accordance with CFR § 1.183, the undersigned attorney respectfully requests that the undersigned attorney's Request for Withdrawal be granted or, in the

alternative, the office action dated August 9, 2005 be withdrawn and reissued, and the undersigned attorney's Request for Withdrawal as Attorney or Agent and Change of Correspondence Address be accepted. As stated in CFR § 1.183, this is an extraordinary situation, through no fault of the undersigned attorney nor the applicant, in which it is reasonable that the rules surrounding the non-acceptance of the Request for Withdrawal as Attorney be suspended. By reissuing the Office Action, the Request to Withdraw will be granted more than 30 days before the time to file a response to the newly reissued Office Action.

The Commissioner for Patents is hereby authorized to charge the fee set forth in § 1.17(f) to Deposit Account No. 02-0393 of Baker & McKenzie LLP.

Dated: February 9, 2006

Respectfully submitted,



James David Jacobs
Reg. No. 24,299
Baker & McKenzie LLP
1114 Avenue of the Americas
New York, New York 10036
Telephone (212) 751-5700
Facsimile (212) 759-9133



URGENT FAX MESSAGE

NAME : Your ref: 56169539-6

FIRM : Baker and Mackenzie

FAX NUMBER : 00 1 212 759 9133

NUMBER OF PAGES : 6 (NOT INCLUDING THIS SHEET)

DATE : 27.4.05

MESSAGE :

FROM

NAME : J. N. W. Dodds.

FIRM : ALDERSON DODDS

FAX NUMBER : 00 44 1670 354166

IN THE EVENT OF ERROR IN TRANSMISSION PLEASE ADVISE BY
TELEPHONE : 01670 352293



ALDERSON DODDS

4/8 STANLEY STREET
BLYTH
NORTHUMBERLAND
NE24 2BU
DX: 62604 BLYTH

TEL : (01670) 352293
EMERGENCY : (07659) 818999
(Quote Pager No. 15177)
FAX : (01670) 354166

Your ref: 56169539-6

Our ref: S1606/3/JNWD/VN Date : 27 April, 2005

By Airmail and Fax No 00 1 212 759 9133

Baker & McKenzie
Attorneys at Law
805 Third Avenue
NEW YORK
New York 10022
USA

Dear Sirs

Patent Application entitled

System and method for creating a custom article

Filing Date: October 3, 2003

Application No: TBA

Your Ref No: 56169539-6

We act on behalf of Sodo Design Limited, who have taken an Assignment of the above-mentioned Patent, a certified copy of which is enclosed.

The vendors advise us that your fees in respect of the above are paid up to date.

We would be obliged if you would forward all your papers in relation to the same to our agent, Edward M Prince, Alston & Bird LLP, 601 Pennsylvania Avenue, NW, North Building, 10th Floor, Washington DC 20004-2601.

Yours faithfully

Alderson Dodds

INCORPORATING: SIDNEY SON & ALDERSON & JOHN R. PARSONS & SON

PARTNERS: J. N. W. DODDS, LL.B., MRS. S. JOHNSON, B.A., P. W. DUNN, LL.B.,
G. SHANNON, LL.B., MISS T. J. WAUGH, BA

ASSOCIATES: MISS H. D. ORGAN, BA; R. H. RAMSAY BA, A. SWAN LL.B.,
MRS J A RODGERS, LL.B, D W SMITH LL.B; MISS E SPENSLEY I.L.B.

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REGULATED BY THE LAW SOCIETY



DATED

8th April

2005

PATENT ASSIGNMENT

Between

RICKARD SHAH HOLDINGS B.V.

and

SODO DESIGN LIMITED

ALDERSON DODDS
4/8 STANLEY STREET
BLYTH
NORTHUMBERLAND
NE24 2BU
UNITED KINGDOM

We hereby certify that this is
a true copy of the original
ALDERSON DODDS
Solicitors, Blyth

THIS ASSIGNMENT is dated the 8th day of April 2005

PARTIES

- (1) **RICKARD SHAH HOLDINGS B.V.**, a company incorporated under the laws of the Netherlands, having its seat in Amsterdam, the Netherlands and its place of business at Herengracht 548, 1017 CG Amsterdam, the Netherlands (Assignor)
- (2) **SODO DESIGN LIMITED** incorporated and registered in England and Wales with Company Number 05320622 whose registered office is at 56 Churchburn Drive, Morpeth, Northumberland NE61 2DE (Assignee)

BACKGROUND

- (A) The Assignor is the proprietor of or applicant for the patents listed in the Schedule to this Assignment (Patent).
- (B) By an Asset Purchase Agreement dated 8th day of April 2005 between the Assignor and the Assignee, the Assignor has agreed to assign the Patent to the Assignee on the terms set out below.

AGREED TERMS

1. Assignment

In consideration of the sum of £1 (receipt of which the Assignor expressly acknowledges), the Assignor hereby assigns to the Assignee with full title guarantee the full and exclusive benefit of the Patent including:

- (a) the right to recover and take all such proceedings as may be necessary for the recovery of damages or otherwise in respect of all infringements of the Patent, whether committed before or after the date of this Assignment.
- (b) the absolute entitlement to any patent granted pursuant to the application comprised in the Patent, for the full term of such patent; and
- (c) the right to apply for, prosecute and obtain patent or similar protection in the UK, United States of America and all other countries of the world for an invention embodied by the application comprised in the Patent, including the right to claim priority from such application.

2. Further Assurance

The Assignor hereby covenants with the Assignee that the Assignor shall, at the expense of the Assignee, execute, sign and do all such instruments, applications, documents, acts and things as may reasonably be required by the Assignee to enable the Assignee or its nominee to enjoy the full benefit of the rights hereby assigned.

3. Governing Law and Jurisdiction

This Assignment shall be governed by and interpreted in accordance with the laws of England and the parties hereby submit to the exclusive jurisdiction of the English courts.

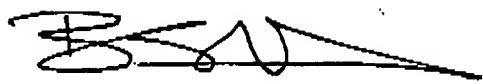
This Assignment has been entered into on the date stated at the beginning of it.

SCHEDULE

Patent Applications

Patent Application filed at the United States of America Patent and Trademark Office (USPTO) on 3rd October 2003 under Serial Number 10/678556. A system and method for creating a custom article and, more particularly, to a system and method for creating custom lasts used to make custom shoes.

SIGNED by BINITH RATILAL SHAH
For and on behalf of
RICKARD SHAH HOLDINGS B.V.



SIGNED by WILLIAM PHILIP RICKARD
For and on behalf of
SODO DESIGN LIMITED



Rhoden, Emily R.

From: Gasparo, Frank M
Sent: Wednesday, February 08, 2006 2:52 PM
To: Rhoden, Emily R.
Subject: FW: Patent assisgnment
Attachments: ~MAP0000.jpg

From: Binith Shah [mailto:binith@rickardshah.com]
Sent: Tuesday, June 07, 2005 9:17 AM
To: Gasparo, Frank M
Cc: 'Elizabeth Rickard'; 'nigel dodds'
Subject: Patent assisgnment

Dear Frank,
Attached please find a scanned copy of a letter sent to you today via fedex in reference to our Trademarks and Patents.

Please let me know if you have any questions.

Best
Binith

RICKARD SHAH HOLDINGS B.V.

June 6, 2005

To: Baker and McKenzie LLP
Attn: Frank Gasparo
805 Third Avenue
New York, NY 10022
USA

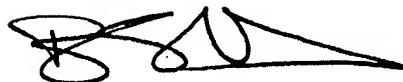
Re: INTERNATIONAL PATENT APPLICATION ENTITLED SYSTEM AND
METHOD FOR CREATING A CUSTOM ARTICLE SERIAL NUMBER:
PCT/IB2004/003510, YOUR REF NUMBER 56169539-9.

Dear Frank,

This is to confirm on behalf of Rickard Shah Holdings BV as Managing Director that all patent and trademarks relating to Rickard Shah Holding BV and its subsidiaries have been assigned to SODO Design Limited based in the UK. In addition, all paperwork in regards to Rickard Shah patents and trademarks should be passed on to representatives of Sodo Design Ltd, which I have confirmed have written to you for the above request.

Thanks you in advance for your immediate cooperation. Please feel free to contact me should you have any questions.

Sincerely,



Binith Shah
Managing Director- Rickard Shah Holdings B.V.



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

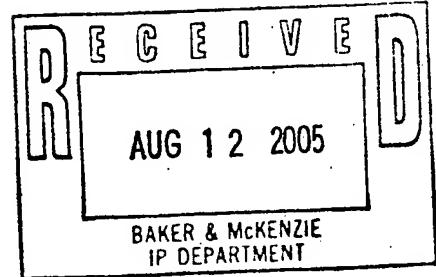
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,556	10/03/2003	Binith Ratilal Shah	56169539-6	2543
26453	7590	08/09/2005	EXAMINER	
BAKER & MCKENZIE LLP 805 THIRD AVENUE - 29TH FLOOR NEW YORK, NY 10022			MOHANDESI, JILA M	

ART UNIT	PAPER NUMBER
----------	--------------

3728

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary	Application No.	Applicant(s)
	10/678,556	SHAH ET AL.
	Examiner	Art Unit
	Jila M. Mohandes	3728

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 October 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-37 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03-05-04.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date, _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means", **comprising** and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

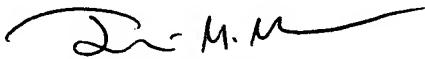
3. Claims 1-37 rejected under 35 U.S.C. 102(b) as being clearly anticipated by White et al. (5,339,252).
4. Claims 1-37 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Dunham et al. (3,696,456).
5. Claims 1-37 rejected under 35 U.S.C. 102(b) as being clearly anticipated by Marshall (6,042,759).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Shown are method for developing lasts and shoe analogous to applicant's instant invention.
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jila M. Mohandesu whose telephone number is (571) 272-4558. The examiner can normally be reached on Monday-Friday 7:30-4:00 (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu can be reached on (571) 272-4562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jila M Mohandesu
Primary Examiner
Art Unit 3728

JMM
August 06, 2005

JILA M. MOHANDESI
PRIMARY EXAMINER

Notice of References Cited		Application/Control No.	Applicant(s)/Patent Under Reexamination SHAH ET AL.	
		Examiner Jila M. Mohandes	Art Unit 3728	Page 1 of 1

U.S. PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
A	US-6,473,667	10-2002	Lee, Joe	700/118
B	US-6,042,759	03-2000	Marshall, Scott	264/40.1
C	US-5,879,725	03-1999	Potter, Daniel R.	425/403
D	US-5,339,252	08-1994	White et al.	700/98
E	US-			
F	US-			
G	US-			
H	US-			
I	US-			
J	US-			
K	US-			
L	US-			
M	US-			

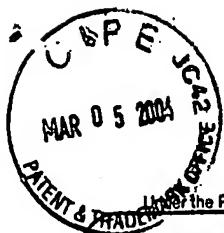
FOREIGN PATENT DOCUMENTS

*	Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
N					
O					
P					
Q					
R					
S					
T					

NON-PATENT DOCUMENTS

*	Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)		
	U		
	V		
	W		
	X		

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.



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Do not collect a fee for this form unless it contains a valid OMB control number.

Substitute for form 1449/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1 of 2

<p>Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.</p> <p>Substitute for form 1449/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i></p> <p>Sheet 1 of 2</p>		<p>Complete if Known</p> <p>Application Number 10/678,556</p> <p>Filing Date October 3, 2003</p> <p>First Named Inventor Binith R. Shah</p> <p>Art Unit 3728</p> <p>Examiner Name TBA</p> <p>Attorney Docket Number 56169539-6</p>
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U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ²Applicant's unique citation designation number (optional). ³See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ⁴Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁵For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁶Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁷Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

TO: Commissioners for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



PTO/SB/088 (08-03)

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Substitute for form 1449/PTO

Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

2

of 2

Application Number

10/678,556

Filing Date

October 3, 2003

First Named Inventor

Binith R. Shah

Art Unit

3728

Examiner Name

TBA

Attorney Docket Number

56169539-6

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
<i>dr</i>	8	1988-Present DIGITOE INC., "What is a Shoe Last?", 4 Pages, http://www.digitoe.com/short_stories/what_shoelast.html	
	9	1988-Present DIGITOE INC., "Shoes for the 21st Century", 5 Pages, http://www.digitoe.com/digitoe/index.html	
	10	1988-Present DIGITOE INC., "DIGITOE FAQs", 4 Pages, http://www.digitoe.com/digitoe/digitoe_faqs.html	
	11	1981-Present. SHOESCHOOL.COM, "ShoeSchool.com", 4 Pages, http://www.digitoe.com/shoescchool/lasts/shoe_lasts_what.html	
<i>dr</i>	12	January 1999, DIGITOE Inc., "DigiLast-Computerized Service Bureau", 4 Pages	

Examiner Signature	<i>Binith R. Shah</i>	Date Considered	08/06/05
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

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August 24, 2005

Via Airmail

Binith R. Shah
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24 Old Bond Street, 3rd Floor
London W1S 4AP
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**RE: U.S. Patent Application entitled
SYSTEM AND METHOD FOR CREATING A CUSTOM ARTICLE**
Serial No.: 10/678,556
Filing Date: October 3, 2003
Our Ref. No.: 56169539-6

Dear Binith,

We have received an Office Action from the U.S. Patent and Trademark Office in connection with the above-identified patent application. A copy of the Office Action is enclosed for your review and records.

Please have the inventors review the Office Action and provide us with their comments by **October 9, 2005**. A response to the Office Action is due **November 9, 2005**.

If you have any questions, please do not hesitate to contact me at (212) 891-3737 or via e-mail at michaela.f.carpio@bakernet.com.

Sincerely,

Michaela F. Carpio
Paralegal

MFC/rmf
Enclosure

NYCDMS/445559.1

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From	James D. Jacobs	+1 212 891 3951	+1 212 310 1651
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From	James D. Jacobs	+1 212 891 3951	+1 212 310 1651
Client/Matter No.	56169539-6		
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Filing Date	October 3, 2003
First Named Inventor	Binith Ratilal Shah
Art Unit	3728
Examiner Name	TBA
Attorney Docket Number	56169539-6

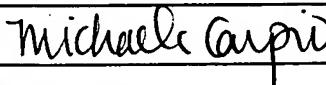
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Date	August 26, 2005	Reg. No.	55,186

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Application Number	10/678,556
Filing Date	October 3, 2003
First Named Inventor	Binith Ratilal Shah
Art Unit	3728
Examiner Name	TBA
Attorney Docket Number	56169539-6

To: Commissioner for Patents
P.O. Box 1450
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Please withdraw me as attorney or agent for the above identified patent application, and

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the attorneys/agents (with registration numbers) listed on the attached paper(s), or

the attorneys/agents associated with Customer Number

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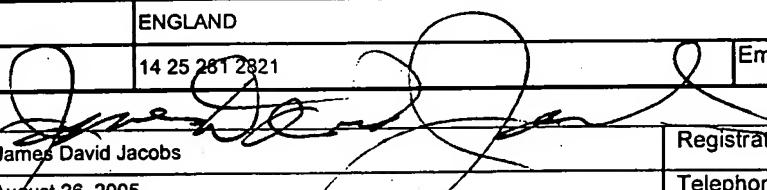
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Signature				
Name	James David Jacobs	Registration No.	24,299	
Date	August 26, 2005	Telephone No.	(212) 751-5700	

NOTE: Withdrawal is effective when approved rather than when received. Unless there are at least 30 days between approval of withdrawal and the expiration date of a time period for response or possible extension period, the request to withdraw is normally disapproved.

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Please see the attached.

Carpio, Michaela F.

From: Carpio, Michaela F.
Sent: Friday, August 26, 2005 5:39 PM
To: 'binit@rickardshah.com'
Cc: Jacobs, James D.; Serle, Alayne F.; Gasparo, Frank M
Subject: U.S. Patent Appl. No.: 10/678,556; PCT Patent Appl. No.: PCT/182004/003510
Attachments: JDJletter.pdf

Please see the attached.

Very truly yours,

Baker & McKenzie LLP

Michaela Carpio
Paralegal

Michaela Carpio
Paralegal, Intellectual Property
Baker & McKenzie LLP
805 Third Avenue
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August 26, 2005

Tel: +1 212 891 3951
Fax: +1 212 310 1651
James.D.Jacobs@bakernet.com

VIA FEDERAL EXPRESS & E-MAIL

Binith Shah
RICKARD SHAH
24 Old Bond Street, 3rd Floor
London W1S 4AP
ENGLAND

RE: Rickard Shah
U.S. Pat. Appl. No.: 10/678,556
PCT Pat. Appl. No.: PCT/182004/003510
Our Ref. No.: 56169539-6

Dear Binith:

We filed today with the United States Patent and Trademark Office a request to withdraw as attorneys of record for the above-identified patent application. We instructed the Patent Office to direct all future correspondence to your following U.S. address which was indicated on your Declaration: 9033 NE 22nd Place, Clyde Hill, WA 98004.

The corresponding PCT patent application is being handled by the following foreign associate: Breese, Derambure, Majerowicz, Societe de conseils en Propriete Industrielle, 38 avenue de l'Opera 75002 PARIS, Tel 33 (0) 147036777. We have instructed this associate to deal directly with you and we are therefore no longer assuming any role in this PCT matter. Please direct any questions or requests that you may have to the foreign associate.

Sincerely,

Baker & McKenzie LLP

James David Jacobs

cc: Alayne Serle
Frank M. Gasparo

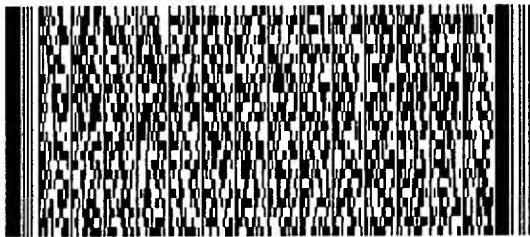
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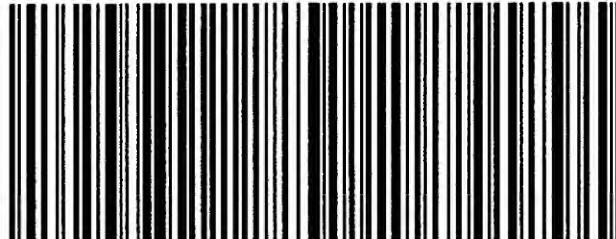
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OFFICE OF PETITIONS

In re Application of
Binith Ratilal Shah et al
Application No. 10/678,556
Filed: October 3, 2003
Attorney Docket No. 56169539-6

**DECISION ON PETITION
TO WITHDRAW
FROM RECORD**

This is a decision on the Request to Withdraw as attorney or agent of record under 37 C.F.R. § 1.36(b), filed August 26, 2005.

The request is **NOT APPROVED**.

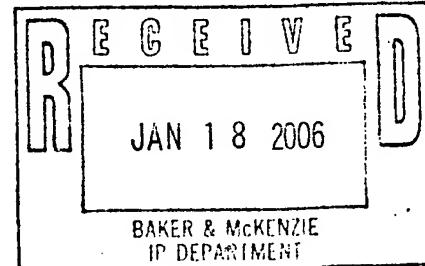
A grantable request to withdraw as attorney/agent of record must be signed by every attorney/agent seeking to withdraw or contain a clear indication that one attorney is signing on behalf of another/others. A request to withdraw will not be approved unless at least 30 (thirty) days would remain between the date of approval and the later of the expiration date of a time to file a response or the expiration date of the maximum time period which can be extended under 37 C.F.R. § 1.136(a).

The request cannot be approved because there remain less than 30 (thirty days) between the date of this decision and the maximum extendable time period for filing a response to the Office action mailed on August 9, 2005.

All future communications from the Office will continue to be directed to the above-listed address until otherwise notified by applicant.

Telephone inquiries concerning this decision should be directed to Irvin Dingle at 571-272-3210.


Amelia Au
Petitions Examiner
Office of Petitions



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